

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-18 and 37-39 are pending in the application, with claims 1, 9, 17, and 18 being the independent claims. Claims 19-36 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 9, 17 and 18 are sought to be amended. Support for the amendments to claims 17 and 18 may be found, for example, at paragraphs [0047]-[0049] and [0053]-[0054]. New claims 37-39 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 102***

**Park**

The Examiner has rejected claims 1, 2, 6-12, 16 and 17 under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Publication No. 2004/0148632 to Park et al. (“Park”). Applicants respectfully traverse.

Claim 1 has been amended herein to include the element of “wherein the device database includes user preferences for device settings.” Park does not teach, disclose or suggest this element. Park merely discloses that “the memory 160 stores operation programs of the controller 150 and all data. The data includes information about every household appliance connected to the set-top box 100. More specifically,

identifiers (IDs) of appliances, product numbers, serial numbers, infrared (IR) protocol information, etc., correspond to the data.” Park at Col. 5, Para. [0062]. The level of detail and specificity that Park uses to disclose the type of information being stored and the absence of any mention of personal preferences demonstrates that Park did not contemplate a system that used personal preferences to facilitate changing device configurations.

Since Park does not teach or suggest each and every feature of claim 1, as amended herein, it cannot anticipate that claim. Accordingly, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 102(e) be reconsidered and withdrawn. Because claims 2 and 6-8 depend from claim 1, Applicants respectfully request that the rejection of these claims also be reconsidered and withdrawn.

Independent claim 9 has also been amended herein to include the element of “wherein the device information includes personal preferences for device settings.” Therefore, for the reasons discussed above with respect to amended claim 1, amended claim 9 is also patentable over the Park reference. Applicants respectfully request that the rejection of claim 9 be reconsidered and withdrawn. Because claims 10-11 depend on claim 9, these claims are also patentable over the Park reference. Applicants respectfully request that the rejection of claims 10-11 also be reconsidered and withdrawn.

Independent claim 17 is directed to a method for providing hierarchical control of distributed home entertainment electronic devices. The method comprises:

- (a) receiving a remote control signal;
- (b) interpreting said remote control signal;

- (c) gathering device configuration information for devices that may be impacted by said remote control signal;
- (d) determining one or more management commands based on said remote control signal and said device configuration information;
- (e) encoding one or more management messages based on said one or more management commands; and
- (f) transmitting said one or more management messages.

Park does not teach or suggest each and every one of the foregoing features of claim 17, as amended. For example, as will be explained below, Park does not teach or suggest at least “gathering device configuration information for **devices** that may be impacted by said remote control signal,” as recited by claim 17 (emphasis added).

Park is directed to an integrated remote controller and a main set-top-box for controlling a plurality of appliances. *See* Park, paragraphs [0009]-[0011]. The remote controller disclosed in Park allows a user to control a plurality of appliances remotely through the main set-top-box. The set-top-box is connected to the plurality of appliances through a home network system. *Id.* Park continually references the example of a single control signal (corresponding to an appliance) being sent from a remote controller to a set-top-box. The set-top-box, after receiving the control signal, would read “information about the corresponding appliance” and control “the appliance through an internal communication interface connected to the appliance.” *See* Park, paragraph [0060]-[0062]. Park does **not** contemplate a single remote control signal that may impact more than one device.

In contrast, claim 17 recites “gathering device configuration information for **devices** that may be impacted by said remote control signal” (emphasis added). This

feature, as recited by claim 17, provides for several non-obvious benefits. For example, the present specification states:

In step 430 device configuration information is gathered. In one embodiment, controller 210 can request device configuration information from device database 240. Thus, for example, if a request to increase the volume of a television channel being viewed, device database 240 would provide information to controller 210 on the device or devices that should be adjusted based on the device configuration, and the type of interface to use and relevant device capabilities for **all affected devices**. In this way, **a user does not have to manually adjust multiple devices**. Instead integrated control system 200 can **automatically** make this determination.

See present Specification, paragraph [0047].

Since Park does not teach or suggest each and every feature of claim 17, it cannot anticipate that claim. Accordingly, Applicants respectfully request that the rejection of claim 17 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

#### **Russ**

The Examiner has rejected claims 19-21 and 24-25 under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Publication No. 2002/0059642 to Russ et al. (“Russ”). Applicants respectfully traverse.

Claims 19-21 and 24-25 have been cancelled by the above amendment, thereby rendering the rejection of those claims moot.

#### ***Rejections under 35 U.S.C. § 103***

##### **Park in view of Willes**

The Examiner has rejected claims 3-5 and 13-15 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Park in view of U.S. Publication No. 2005/0117052 to Willes et al. (“Willes”). Applicants respectfully traverse.

As discussed above, independent claims 1 and 9 are patentable over Park. Willes does not overcome the deficiencies in Park with regard to anticipating or rendering claims 1 and 9 non-obvious. Therefore, because claims 3-5 depend on claim 1, and claims 13-15 depend on claim 9, for at least this reason these claims are patentable over the combination of Park and Willes. Accordingly, Applicants respectfully request the rejection of claims 3-5 and 13-15 be withdrawn.

**Akaiwa in view of Park**

The Examiner has rejected claim 18 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,741,240 to Akaiwa in view of Park. Applicants respectfully traverse.

Akaiwa and Park, alone or in combination, fail to teach or suggest each and every feature of Applicant's independent claim 18, as amended herein. For example, Akaiwa and Park do not teach or suggest at least "determining whether settings of the distributed electronic **devices** should be changed **based on a change in the video input signal**," as recited in independent claim 18 (emphasis added).

As explicitly agreed to by the Examiner, Akaiwa, at most, determines if the display settings of a **single** device should be updated based on a change in an input video signal. *See* Akaiwa, at abstract. Akaiwa does **not** determine whether the settings of more than one device should be changed based on a change in an input signal. However, the Examiner at page 9 of the present Office Action alleges that Park remedies this deficiency of Akaiwa. Although Park may disclose a system for controlling a plurality of devices (as the Examiner points out), Park, as noted above in regard to claim 17, similarly does not contemplate a change in a signal (e.g., a video

signal) that may impact multiple devices. Park requires a separate control signal for each device setting or attribute to be controlled. Consequently, Park does not teach or suggest “determining whether settings of the distributed electronic **devices** should be changed **based on a change in the video input signal**,” since Park determines, at most, whether settings for a single device should be change in response to a single control signal.

Akaiwa does not teach or suggest each and every feature of claim 18. Park does not cure the deficiencies of Akaiwa. Since neither Akaiwa nor Park, alone or in combination, teach or suggest each and every feature of claim 18, the combination of Akaiwa and Park cannot render claim 18 unpatentable. Accordingly, Applicants respectfully request that the rejection of claim 18 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

**Russ in view of Willes**

The Examiner has rejected claims 22, 23 and 26 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Publication No. 2002/0059642 to Russ et al. (“Russ”) in view of Willes. Applicants respectfully traverse.

Claims 22, 23 and 26 have been cancelled by the above amendment, thereby rendering the rejection of those claims moot.

**Hylton in view of Hall**

The Examiner has rejected claims 27, 28, 31-34 and 36 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,613,191 to Hylton et al. (“Hylton”) in view of U.S. Publication No. 2003/0210337 to Hall (“Hall”).

Applicants respectfully traverse.

Claims 27, 28, 31-34 and 36 have been cancelled by the above amendment, thereby rendering the rejection of those claims moot.

**Hylton in view of Hall in further view of Willes**

The Examiner has rejected claims 29-30 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Hylton in view of Hall in further view of Willes. Applicants respectfully traverse.

Claims 29-30 have been cancelled by the above amendment, thereby rendering the rejection of those claims moot.

***New Claims***

New claims 37-39 have been added. Support for claim 37 can be found, for example, within paragraph 54. Support for claim 38 can be found, for example, withinin paragraph 56. Support for claim 39 can be found, for example, within paragraph 38. The elements within these claims are not disclosed, suggested or taught by any of the references made of record by the Examiner, or by a combination of the references. Furthermore, each of these claims depend from claim 1. Therefore, for at

least these reasons, Applicants respectfully request that the Examiner allow these claims.

***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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